

AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows:

1. (Currently Amended) A method of advertising, comprising:

presenting a menu possible advertisements to a user to permit the user to select ~~advertisements~~ an advertisement to view;

starting a timer upon presenting the menu of possible advertisements;

instructing the user to select a specified number of advertisements from the menu prior to expiration of the timer;

determining if the user has selected the specified number of advertisements prior to expiration of the timer ~~receiving a user selection of an advertisement to view prior to expiration of the timer;~~ [; and]

if the user has not selected the specified number of advertisements prior to expiration of the timer, then selecting on behalf of the user a number of advertisements adequate to total the specified number when added to the advertisements selected by the user; and

merging the selected specified number of advertisements ~~advertisement~~ with stored ~~the stored~~ entertainment content so that both the advertisements ~~advertisement~~ and the stored entertainment content are presented to the user.

2. (Currently Amended) The method according to claim 1, further comprising receiving the selected ~~advertisement~~ advertisements from an advertising server.

3. (Original) The method according to claim 1, further comprising presenting a menu of advertisement types to the user for selection.

4. (Original) The method according to claim 3, wherein the advertisement types include at least one of a conventional commercial segment, a banner advertisement and a watermark advertisement.

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5. (Currently Amended) The method according to claim 1, wherein merging the ~~advertisement~~ advertisements with the stored entertainment content comprises inserting the ~~advertisement~~ advertisements at locations of ~~a location of an advertisement place holder~~ holders forming a part of the entertainment content.
6. (Currently Amended) The method according to claim 1, wherein the selected advertisements are ~~advertisement is~~ received via a modem.
7. (Currently Amended) The method according to claim 1, wherein the selected advertisements are ~~advertisement is~~ received via a television channel.
8. (Original) The method according to claim 1, wherein the menu comprises a scrolling banner menu appearing simultaneously with entertainment content.
9. (Original) The method according to claim 1, wherein the menu is presented without simultaneous entertainment content.
10. (Original) The method according to claim 1, wherein the menu is presented within a window appearing simultaneously with entertainment content.
11. (Currently Amended) The method according to claim 3, wherein the menu of advertisement types comprises a scrolling banner menu appearing simultaneously with entertainment content.
12. (Currently Amended) The method according to claim 3, wherein the menu of advertisement types is presented without simultaneous entertainment content.
13. (Currently Amended) The method according to claim 3, wherein the menu of advertisement types is presented within a window simultaneously with entertainment content.

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14. (Currently Amended) The method according to claim 3, wherein the ~~advertisement advertisements~~ and the advertisement ~~types are type is~~ presented to the user in a single menu.
15. (Currently Amended) The method according to claim 1, further comprising caching the selected ~~advertisement~~ advertisements in a storage device within a set-top box.
16. (Currently Amended) The method according to claim 1, further comprising caching the selected ~~advertisement~~ advertisements in a storage device coupled to a set-top box.
17. (Original) The method according to claim 1, wherein the presenting of the menu takes place as a result of receipt of a signal from the user requesting the presentation of the menu.
18. (Currently Amended) An electronic storage medium containing instructions which, when executed on a programmed processor carry out a process of advertising, comprising:
- presenting a menu of possible advertisements to a user to permit the user to select advertisements an advertisement to view;
 - starting a timer upon presenting the menu of possible advertisements;
 - instructing the user to select a specified number of advertisements from the menu prior to expiration of the timer;
 - determining if the user has selected the specified number of advertisements prior to expiration of the timer receiving a user selection of an advertisement to view prior to expiration of the timer;
 - if the user has not selected the specified number of advertisements prior to expiration of the timer, then selecting on behalf of the user a number of advertisements adequate to total the specified number when added to the advertisements selected by the user;
 - receiving the selected advertisement advertisements from an advertising server; and
 - merging the selected specified number of advertisements advertisement with stored

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~~the stored entertainment content~~ so that both the advertisements ~~advertisement~~ and the stored entertainment content are presented to the user.

19. (Original) The storage medium according to claim 18, further comprising presenting a menu of advertisement types to the user for selection.

20. (Original) The storage medium according to claim 19, wherein the advertisement types include at least one of a conventional commercial segment, a banner advertisement and a watermark advertisement.

21. (Currently Amended) The storage medium according to claim 18, wherein merging the ~~advertisement~~ advertisements with the stored entertainment content comprises inserting the ~~advertisement at a location of an~~ advertisements at locations of advertisement place ~~holders~~ holder forming a part of the entertainment content.

22. (Currently Amended) The storage medium according to claim 18, wherein the selected advertisements are ~~advertisement is~~ received via a modem.

23. (Currently Amended) The storage medium according to claim 18, wherein the selected advertisements are ~~advertisement is~~ received via a television channel.

24. (Original) The storage medium according to claim 18, wherein the menu comprises a scrolling banner menu appearing simultaneously with entertainment content.

25. (Original) The storage medium according to claim 18, wherein the menu is presented without simultaneous entertainment content.

26. (Original) The storage medium according to claim 18, wherein the menu is presented within a window appearing simultaneously with entertainment content.

27. (Currently Amended) The storage medium according to claim 19, wherein the menu of advertisement types comprises a scrolling banner menu appearing simultaneously with entertainment content.
28. (Currently Amended) The storage medium according to claim 19, wherein the menu of advertisement types is presented without simultaneous entertainment content.
29. (Currently Amended) The storage medium according to claim 19, wherein the menu of advertisement types is presented within a window simultaneously with entertainment content.
30. (Currently Amended) The storage medium according to claim 19 ~~claim 18~~, wherein the ~~advertisements advertisement~~ and the advertisement types are presented is presented to the user in a single menu.
31. (Currently Amended) The storage medium according to claim 18, further comprising caching the selected advertisements advertisement in a storage device within a set-top box.
32. (Currently Amended) The storage medium according to claim 18, further comprising caching the selected advertisements advertisement in a storage device coupled to a set-top box.
33. (Original) A set-top box, comprising:
a programmed processor that presents a user with a menu of advertisements;
a timer that establishes a time period during which the user can select advertisements from the menu, wherein if the user fails to select a specified number of advertisements within the time period, advertisements are selected for the user the user;
means for receiving a user selection of one or more advertisements, ~~a selected advertisement~~ from the menu of advertisements;

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advertisement receiving means for receiving the selected advertisement from a service provider;

content receiving means for receiving entertainment content from the service provider; and

the programmed processor merging the entertainment content with the advertisements advertisement for presentation to the user.

34. (Currently Amended) The apparatus according to claim 33, further comprising a storage device forming a part of the set-top box to store the selected advertisements advertisement.

35. (Currently Amended) The apparatus according to claim 33, further comprising a storage device coupled to the set-top box to store the selected advertisements advertisement.

36. (Original) The apparatus according to claim 33, wherein the advertisement receiving means comprises a tuner.

37. (Original) The apparatus according to claim 33, wherein the advertisement receiving means comprises a modem.

38. (Original) The apparatus according to claim 33, wherein the means for receiving a user selection comprises an interface to a remote control device.

39. (Original) The apparatus according to claim 33, wherein the programmed processor further presents a menu of advertisement types to the user for selection.

40. (Original) The apparatus according to claim 39, wherein the advertisement types include at least one of a conventional commercial segment, a banner advertisement and a watermark advertisement.

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41. (Currently Amended) The apparatus according to claim 39, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisements at locations of advertisement place holders ~~advertisement at a location of an advertisement place holder~~ forming a part of the entertainment content.
42. (Currently Amended) The apparatus according to claim 33, further comprising a modem and wherein the selected advertisements are ~~advertisement is~~ received via the modem.
43. (Currently Amended) The apparatus according to claim 33, further comprising a tuner and wherein the selected advertisements are ~~advertisement is~~ received via a television channel tuned by the tuner.
44. (Original) The apparatus according to claim 33, wherein the programmed processor presents a menu comprises a scrolling banner menu appearing simultaneously with entertainment content.
45. (Original) The apparatus according to claim 33, wherein the programmed processor presents the menu without simultaneous entertainment content.
46. (Original) The apparatus according to claim 33, wherein the programmed processor presents the menu within a window appearing simultaneously with entertainment content.
47. (Original) The apparatus according to claim 34, wherein the menu comprises a scrolling banner menu appearing simultaneously with entertainment content.
48. (Original) The apparatus according to claim 34, wherein the menu is presented without simultaneous entertainment content.

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49. (Original) The apparatus according to claim 34, wherein the menu is presented within a window simultaneously with entertainment content.
50. (Currently Amended) The apparatus according to ~~claim 39~~ claim 34, wherein the ~~advertisements advertisement~~ and the advertisement ~~types are type~~ is presented to the user in a single menu.
51. (Original) The apparatus according to claim 33, wherein the means for receiving a user selection further comprises means for receiving a signal from the user requesting the presentation of the menu.
52. (Currently Amended) A method of advertising, comprising:
presenting a menu of possible types of advertisements to a user to permit the user to select a type of advertisement to view;
each advertisement type having an associated presentation time associated therewith, so that the user can determine how long the advertisement will be presented by selection of a particular advertisement type;
receiving a user selection of a type of advertisement to view;
receiving an advertisement of the selected advertisement type from an advertising server; and
merging the advertisement with stored ~~the stored~~ entertainment content so that both the advertisement and the stored entertainment content are presented to the user.
53. (Original) The method according to claim 52, further comprising presenting a menu of advertisements to the user for selection.
54. (Original) The method according to claim 52, wherein the advertisement types include at least one of a conventional commercial segment, a banner advertisement and a watermark advertisement.

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55. (Original) The method according to claim 52, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement at a location of an advertisement place holder forming a part of the entertainment content.
56. (Original) The method according to claim 52, wherein the selected advertisement is received via a modem.
57. (Original) The method according to claim 52, wherein the selected advertisement is received via a television channel.
58. (Original) The method according to claim 52, wherein the menu comprises a scrolling banner menu appearing simultaneously with entertainment content.
59. (Original) The method according to claim 52, wherein the menu is presented without simultaneous entertainment content.
60. (Original) The method according to claim 52, wherein the menu is presented within a window appearing simultaneously with entertainment content.
61. (Original) The method according to claim 52, further comprising caching the selected advertisement in a storage device within a set-top box.
62. (Original) The method according to claim 52, further comprising caching the selected advertisement in a storage device coupled to a set-top box.
63. (Original) The method according to claim 52, wherein the advertisement is merged with the stored entertainment content at a service provider.
64. (Original) The method according to claim 52, wherein the advertisement is merged with the stored entertainment content at a service provider head end.

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65. (Original) The method according to claim 52, wherein the advertisement is merged with the stored entertainment content at a set-top box.
66. (Currently Amended) An electronic storage medium containing instructions which, when carried out by a programmed processor, implements a method of advertising, comprising:
- presenting a menu possible types of advertisements to a user to permit the user to select a type of advertisement to view;
 - each advertisement type having an associated presentation time associated therewith, so that the user can determine how long the advertisement will be presented by selection of a particular advertisement type;
 - receiving a user selection of a type of advertisement to view;
 - receiving an advertisement of the selected advertisement type from an advertising server; and
 - merging the advertisement with stored ~~the stored~~ entertainment content so that both the advertisement and the stored entertainment content are presented to the user.
67. (Original) The storage medium according to claim 66, further comprising presenting a menu of advertisements to the user for selection.
68. (Original) The storage medium according to claim 66, wherein the advertisement types include at least one of a conventional commercial segment, a banner advertisement and a watermark advertisement.
69. (Original) The storage medium according to claim 66, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement at a location of an advertisement place holder forming a part of the entertainment content.
70. (Original) The storage medium according to claim 66, wherein the selected advertisement is received via a modem.

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71. (Original) The storage medium according to claim 66, wherein the selected advertisement is received via a television channel.
72. (Original) The storage medium according to claim 66, wherein the menu comprises a scrolling banner menu appearing simultaneously with entertainment content.
73. (Original) The storage medium according to claim 66, wherein the menu is presented without simultaneous entertainment content.
74. (Original) The storage medium according to claim 66, wherein the menu is presented within a window appearing simultaneously with entertainment content.
75. (Original) The storage medium according to claim 66, further comprising caching the selected advertisement in a storage device within a set-top box.
76. (Original) The storage medium according to claim 66, further comprising caching the selected advertisement in a storage device coupled to a set-top box.
77. (Original) The storage medium according to claim 66, wherein the advertisement is merged with the stored entertainment content at a service provider.
78. (Original) The storage medium according to claim 66, wherein the advertisement is merged with the stored entertainment content at a service provider head end.
79. (Original) The storage medium according to claim 66, wherein the advertisement is merged with the stored entertainment content at a set-top box.
80. (Currently Amended) A set-top box, comprising:
a programmed processor that presents a user with a menu of advertisement types;

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each advertisement type having an associated presentation time associated therewith, so that the user can determine how long the advertisement will be presented by selection of a particular advertisement type;

means for receiving a user selection of a selected advertisement type from the menu of advertisements;

advertisement receiving means for receiving the selected advertisement from a service provider;

content receiving means for receiving entertainment content from the service provider; and

the programmed processor merging the entertainment content with the advertisement for presentation to the user.

81. (Original) The apparatus according to claim 80, further comprising a storage device forming a part of the set-top box to store the selected advertisement.

82. (Original) The apparatus according to claim 80, further comprising a storage device coupled to the set-top box to store the selected advertisement.

83. (Original) The apparatus according to claim 80, wherein the advertisement receiving means comprises a tuner.

84. (Original) The apparatus according to claim 80, wherein the advertisement receiving means comprises a modem.

85. (Original) The apparatus according to claim 80, wherein the means for receiving a user selection comprises an interface to a remote control device.

86. (Currently Amended) An advertising method, comprising:
presenting a television viewer with a menu of advertisements from which to select an advertisement for viewing;

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prompting the viewer to select a specified number of advertisements from the menu within a specified time period;

receiving a selection of advertisements an advertisement selection from the television viewer within a specified time period; and

presenting the television viewer with the entertainment content and the selected advertisements selected advertisement.

87. (Currently Amended) The method according to claim 86 ~~claim 88~~, further comprising:
presenting the television viewer with a menu of advertisement types;
receiving an advertisement type selection from the television viewer; and
presenting the television view with the selected advertisement according to the selected advertisement type.

88. (Currently Amended) The method according to claim 86 ~~claim 88~~, further comprising charging an advertiser for presenting the advertisement based upon a number of times the advertisement is selected by a group of television viewers.

89. (Original) The method according to claim 87, further comprising charging an advertiser for presenting the advertisement based upon a number of times the advertisement is selected by a group of television viewers and based upon the selected advertisement type presented.

90. (Currently Amended) An advertising method, comprising:
presenting the television viewer with a menu of advertisement types;
each advertisement type having an associated presentation time associated therewith, so that the user can determine how long the advertisement will be presented by selection of a particular advertisement type;

receiving an advertisement type selection from the television viewer; and
presenting the television viewer with the selected advertisement according to the selected advertisement type.

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91. (Original) The method according to claim 90, further comprising charging an advertiser for presenting the advertisement based upon the selected advertisement type presented.

92. (Original) The method according to claim 90, wherein the advertisement type is selected from a first and a second advertisement type, with the first advertisement type being considered more intrusive to the viewer than the second advertisement type.

93. (Original) The method according to claim 92, wherein the presenting comprises presenting the first advertisement type for a first period of time if selected, and presenting the second advertisement type for a second period of time if selected, with the first period of time being less than the second period of time.

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